



Docket No.: 1293.1924

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kyoung-jae LEE

Serial No. 10/748,657

Group Art Unit: 2624

Confirmation No. 2805

Filed: December 31, 2003

Examiner: Stephen R. KOZIOL

For: METHOD OF SCANNING DOCUMENT USING PRE-SCANNING OPERATION

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed January 22, 2010.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

By way of example, the Reasons with respect to claim 9 refer to "performing the prescanning operation until" However, claim 9 recites "perform the pre-scanning operation until" The Reasons with respect to claim 8 refer to the physical scan area of the multi-

functional peripheral device. However, claim 8 recites "a physical scan area."

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 4-22-10

By: 

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